



DUANE MORRIS LLP
ONE MARKET, SPEAR TOWER, SUITE 2000
SAN FRANCISCO, CA 94105-1104
PHONE: 415.957.3000
FAX: 415.957.3001

RECEIVED
CENTRAL FAX CENTER

NOV 09 2006

FACSIMILE TRANSMITTAL SHEET

To: Examiner Uyen T. Ho, Group Art Unit 3731

FIRM/COMPANY: Attn: Mail Stop Amendment, Commissioner for Patents

FACSIMILE NUMBER: (571) 273-8300

**CONFIRMATION
TELEPHONE:** (571) 272-4696

FROM: Anne Marie Leavy-Ghazi for Edward J. Lynch

DIRECT DIAL: (415) 957-3017

DATE: November 9, 2006

USER NUMBER: 5121

FILE NUMBER: U.S. Serial No. 10/621,126, Atty. Docket No. R0378-00101

**TOTAL # OF PAGES:
(INCLUDING COVERSHEET)** 4

MESSAGE: Attached is a *Response to Election of Species Requirement mailed 10/11/06* in connection with patent application Serial No. 10/621,126, filed July 16, 2003.

Please confirm receipt of this facsimile.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.957.3000.

RECEIVED
CENTRAL FAX CENTERNOV 09 2006
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
*Sirhan et al.*For: **METHOD AND DEVICE FOR THE
TREATMENT OF VULNERABLE TISSUE
SITE**

Serial No.: 10/621,126

Filed: July 16, 2003

Atty. Docket No.: R0378-00101

) Examiner: Uyen T. Ho

) Group Art Unit: 3731

TRANSMITTAL

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (510) 273-8300, addressed to Examiner Uyen T. Ho, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 9, 2006, in San Francisco, CA.
Anne Marie Leavy-Ghazi
Anne Marie Leavy-GhaziMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is a Response to Restriction and Election of Species Requirements.

2. Claim Fee Calculation

- No additional claim fee is required.
 Amendment increases number of claims or multiple dependencies.

Additional Claim Fee Calculation

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	6 - 6 =	0 x	\$200=	\$-0-
Total Claims	2202	94 - 94 =	0 x	\$50=	\$-0-

Additional Claims Fee \$-0-

Total Fees Due \$-0-

3. Payment of Fees

- Enclosed is a check for the total fees due in the amount of _____.
 The Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0378-00101.

By: *Edward J. Lynch*
 Edward J. Lynch
 Registration No. 24,422

Duane Morris LLP
 One Market, Spear Street, 20th Floor
 San Francisco, CA 94105
 Telephone: (415) 957-3000
 Direct Dial: (415) 957-3067
 Facsimile: (415) 957-3001

RECEIVED
CENTRAL FAX CENTER

NOV 09 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)	Examiner: Uyen T. Ho
Sirhan et al.)	Group Art Unit: 3731
For: METHOD AND DEVICE FOR THE)	
TREATMENT OF VULNERABLE)	
TISSUE SITE)	
Serial No.: 10/621,126)	<u>RESPONSE TO ELECTION OF</u>
Filed: July 16, 2003)	<u>SPECIES REQUIREMENT</u>
Atty. Docket No.: R0378-00101)	<u>MAILED 10/11/2006</u>

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile at (650) 272-8900 addressed to Mail Stop amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Attn: Examiner Uyen T. Ho on 11-9-06 in San Francisco, CA.

By: Uyen T. Ho

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 11, 2006 in the above-referenced application, the Examiner required an election of a species or to one of the following inventions:

Species 1: Figure 1

Species 2: Figure 2

Species 3: Figure 3B

Species 4: Figure 4A

Species 5: Figure 5A

Species 6: Figure 5B

Species 7: Figure 7

Species 8: Figure 9

Species 10: Figure 11A-B

Species 11: Figure 14

Species 12: Figure 16

Species 13: Figure 17

Species 14: Figure 18

In response, Applicants elect the Species 10 shown in Figures 11A and 11B. Claims 49, 50, 52 and 75 read on the elected species.

Respectfully submitted,

By:

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Ste. 2000
San Francisco, CA 94105
Telephone: (415) 957-3000
Facsimile: (415) 957-3001
Direct Dial: (415) 957-3067